

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

U.S. BANK NATIONAL)	
ASSOCIATION,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:15cv0306 (AJT/IDD)
)	
JEFFERSON AT LAUREL)	
HIGHLANDS, L.P., <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

ORDER

This matter is before the Court on the Report and Recommendation [Doc. No. 34] of the Magistrate Judge recommending that default judgment be entered in favor of U.S. Bank National Association (the “plaintiff”) and against Jefferson at Laurel Highlands for Breach of Contract (Count I) and RES Multifamily Investments, L.P. for Breach of Guaranty (Count II) (collectively, “defendants”) as alleged in the First Amended Complaint [Doc. No. 28]. The Magistrate Judge also advised the parties that objections to the Report and Recommendation must be filed within fourteen (14) days of service and that failure to object waives appellate review. No objections have been filed. The Court has conducted a *de novo* review of the evidence in this case and adopts and incorporates the findings and recommendations of the Magistrate Judge in their entirety. Accordingly, it is hereby

ORDERED that plaintiff’s Amended Motion for Default Judgment Against Defendant RES Multifamily Investments, L.P. Pursuant to Federal Rule of Civil Procedure 55(b)(2) [Doc. No. 29] be, and the same hereby is, GRANTED in part; and it is further

ORDERED that plaintiff's Amended Motion for Default Judgment Against Defendant Jefferson at Laurel Highlands, L.P. Pursuant to Federal Rule of Civil Procedure 55(b)(2) [Doc. No. 30] be, and the same hereby is, GRANTED in part; and it is further

ORDERED that default judgment be, and the same hereby is, ENTERED in favor of plaintiff and against defendants, jointly and severally, in the total amount of **\$21,001,710.20**, which includes the unpaid principal amount of \$17,768.153.10, accrued interest in the amount of \$2,345,149.43 from March 5, 2010 to March 5, 2014 (3.25% per annum), and late fee in the amount of \$888,407.66 (5% of unpaid principal); judgment shall also include the "Default Rate" under the Forbearance Note (7.25% per annum or \$3,578.31 per day) from March 6, 2014 until the date of judgment.¹

The Clerk is directed to enter judgment in accordance with Fed. R. Civ. P. 58 and to forward copies of this Order to all counsel of record and to defendants at the addresses provided below.

Jefferson at Laurel Highlands, L.P.
8300 Greensboro Drive, Suite 400
McLean, VA 22102

RES Multifamily Investments, L.P.
600 East Las Colinas Boulevard, Suite 1800
Irving, TX 75039

Jefferson at Laurel Highlands, L.P.
600 East Las Colinas Boulevard, Suite 1800
Irving, TX 75039

Alexandria, Virginia
August 29, 2016



Anthony J. Trenga
United States District Judge

¹ See [Doc. No. 28, ¶ 26] ("From March 6, 2014 through present, the Default Rate on the Forbearance Note was 7.25%."); see also [*Id.*, n.3] (citations omitted) ("As identified in the Memoranda of Facts and Law in Support of U.S. Bank's Motions for Default Judgment the Complaint incorrectly identified the Default Rate as 7.5%. The Motions for Default Judgment are based on upon the correct 7.25% rate.").